

Town Board Minutes

April 21, 2014

Meeting No. 11

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 21st day of April 2014 at 7:00 P.M. and there were

PRESENT: JOHN ABRAHAM, COUNCIL MEMBER
RONALD RUFFINO, COUNCIL MEMBER
DONNA STEMPIAK, COUNCIL MEMBER
DINO FUDOLI, SUPERVISOR

ABSENT: MARK AQUINO, COUNCIL MEMBER

ALSO PRESENT: JOHANNA COLEMAN, TOWN CLERK
JOHN DUDZIAK, TOWN ATTORNEY
SCOTT PEASE, ASST. CODE ENFORCEMENT OFFICER
GERALD GILL, CHIEF OF POLICE
TERRENCE MCCracken, GENERAL CREW CHIEF
ROBERT HARRIS, ENGINEER, WM. SCHUTT & ASSOCIATES
JOHN TROJANOWSKY, DIRECTOR YOUTH BUREAU

EXECUTIVE SESSION:

AT 8:21 P.M., UPON A MOTION DULY MADE BY COUNCIL MEMBER ABRAHAM, SECONDED BY COUNCIL MEMBER STEMPIAK AND CARRIED, the Town Board entered into Executive Session to deliberate on the announced purpose of discussing the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation.

At 8:31 P.M., the Town Board reconvened with all members present. The Town Clerk reported that no official actions were taken by the Town Board in Executive Session.

PERSONS ADDRESSING TOWN BOARD:

Beutler, Daniel, spoke to the Town Board on the following matter:

- Vehicle purchase and trade in for Police vehicles and budget for vehicles.

Buchholz, Bill, Representing Bryce Buchholz Foundation, spoke to the Town Board on the following matter:

- Bryce Buchholz Foundation fundraiser on May 4, 2014 at Bowen Road Grove.

Chowaniec, Lee, spoke to the Town Board on the following matters:

- Questions regarding procedures for obtaining building permits.
- Inventory of Police vehicles and use of said vehicles.
- Warranties and guarantees on Police vehicles.

Fronczak, Mike, spoke to the Town Board on the following matters:

- Bids for 2014 Four Wheel Drive Ford Explorer for Highway Department.
- Cost of Police vehicles and trade in value.
- Asked the status of the 2008 Ford Taurus.
- Clearing of land on west side of Townline Road.

Kazmierczak, Tom, spoke to the Town Board on the following matter:

- Building permits for roofs and above ground pools.

Lemaster, Kevin, spoke to the Town Board on the following matters:

- Permits for clearing of land.
- Low water pressure on Schwartz Road.

Lewis, Edward, spoke to the Town Board on the following matter:

- Speaking on behalf of Susan DuBois and Charles Seiler regarding their desire to acquire land owned by the Town of Lancaster, 22 acres of land north of William Street in the Penora Street area, for the purpose of developing a condominium subdivision.

Moscatti, Matthew, TRM Architect, spoke to the Town Board on the following matter:

- Proposed condominium plan for Ms. DuBois and Mr. Seiler.

Siembida, Dan, spoke to the Town Board on the following matter:

- Asked the Board to deny the permit for a sign at Minks Salon & Spa, 5671 Broadway. The sign is illuminated and spills excessive amount of light into his home and yard.

Symer, Donald, spoke to the Town Board on the following matters:

- Concerns about the low number of permits for re-roof jobs in the Town.
- Concerns that garbage is imported into the Town by residents who have businesses outside of Town.

PRESENTATION OF PREFILED RESOLUTIONS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

RESOLVED, that the minutes of the Regular Meeting of the Town Board
held April 7, 2014 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote
on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	WAS ABSENT	
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

April 21, 2014

File: RMIN (P1)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered
paid from their respective accounts as per abstract to be filed in the Office of the Town Clerk
by the Assistant to the Supervisor, to wit:

Claim No. 35086 to Claim No. 35301 Inclusive
Total amount hereby authorized to be paid: \$584,275.25

The question of the foregoing resolution was duly put to a vote on roll call
which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	WAS ABSENT
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

April 21, 2014
File: Rclaims

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

RESOLVED that the following Building Permit applications be and are hereby reaffirmed:

CODES:

- (SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town of Lancaster are waived for this permit.
(CSW) = Conditional sidewalk waiver
(V/L) = Village of Lancaster

NEW PERMITS:

Pmt #	SW	Applicant Name	Address	STRUCTURE	Village
22470		CMK Builders	192 Pavement Rd	Er. Dwlg.-Sin.	
22471		CMK Builders	200 Pavement Rd	Er. Dwlg.-Sin.	
22473		Robert & Lisa Pillitteri	394 Seneca Pl	Er. Fence	
22474		David Kachelmeyer Sr.	30 Edgewood Rd	Re-Roof	(V/L)
22475		Kevin Kibler	4 Commonwealth Ln	Er. Pool-Abv Grnd	
22476		Marc Beebe	5671 Broadway	Re-Roof	
22477		Tearah Mullins	40 Wainwright Ct	Er. Fence	
22478		Josh James	58 St Marys St	Re-Roof	(V/L)
22479		Amy Inglet	6 Sweet Brier Ct	Er. Shed	
22480		George Francis	39 Garfield St	Er. Res. Add.	(V/L)
22481		Mark & Jennifer Schlesinger	31 Sagebrush Ln	Er. Res. Alt.	
22482		Melissa Scranton	19 Avian Way	Er. Fence	
22483		TRS Heating & Air Conditioning	6 Wetherby Way	Inst. Generator	
22484		Marrano/Marc Equity Corp.	4 Kent Pl	Er. Dwlg.-Sin.	
22485		Marrano/Marc Equity Corp.	9 Sterling Pl	Er. Dwlg.-Sin.	
22486		Pleasant Meadows Assocs LLC	42 Newberry Ln	Er. Dwlg.-Sin.	
22487		Pleasant Meadows Assocs LLC	47 Newberry Ln	Er. Dwlg.-Sin.	
22488		Pleasant Meadows Assocs LLC	46 Newberry Ln	Er. Dwlg.-Sin.	
22489		Sharon Norton	9 Silent Meadow Lane	Er. Shed	
22490		Thomas & Gaetana Lewis	113 Michael's Walk	Re-Roof	
22491		James Winde Jr.	330 Ransom Rd	Er. Res. Add.	
22492		Wendi Matthews	4847 William St	Re-Roof	
22493		Larry & Gerry Mohr	27 Cedar Brook Dr	Re-Roof	
22494		PJK Roofing Inc.	20 Lombardy St	Re-Roof	(V/L)
22495		Sahlems Roofing & Siding Inc.	15 Michael's Walk	Re-Roof	
22496		Sahlems Roofing & Siding Inc.	51 Fox Hunt Rd	Re-Roof	
22497		Sahlems Roofing & Siding Inc.	15 Apple Blossom Blvd	Re-Roof	
22498		Brad Davidzik	70 Avian Way	Er. Fence	
22499		Brad Davidzik	70 Avian Way	Er. Shed	
22500		NVR dba Ryan Homes	25 Middlebury Ln	Er. Dwlg.-Sin.	
22501		NVR dba Ryan Homes	686 Pleasant View Dr	Er. Dwlg.-Sin.	
22502		NVR dba Ryan Homes	15 Prairie Ln	Er. Dwlg.-Sin.	
22503		Ronald Kwiatek	317 Aurora St	Re-Roof	(V/L)
22504		David P. Gustas	516 Aurora St	Er. Shed	
22505		Besroi Construction	12 Devonshire Ln	Re-Roof	
22506		Robert Kraska	66 Camner Ave	Er. Fence	(V/L)
22507		James Goff, Jr.	11 Jenny Ln	Er. Fence	
22508		Mark & Carri SchwarzmueLLer	24 Village View	Er. Fence	
22509		Loretta M. McPherson	648 Ransom Rd	Re-Roof	
22510		All Star Fence	197 Nathan's Trl	Er. Fence	
22511		Michael A. Farkas	13 Clermont Ct	Er. Pool-Abv Grnd	
22512		Mary Leonardi	11 Michael Anthony Ln	Re-Roof	
22513		Avox Systems Inc.	225 Erie St	Er. Comm. Add./Alt.(V/L)	
22514		Sunset Custom Homes Inc.	271 Enchanted Forest N	Re-Roof	
22515		The Kaz Company	51 Avian Way	Re-Roof	
22516		Michael & Janet Penna	405 Central Ave	Er. Garage	
22517		Kristie Hammer	45 Banner Ave	Re-Roof	(V/L)
22518		Michael Grady	68 Albert Dr	Er. Res. Alt.	(V/L)
22519		Edward, Jr. & Colleen Strasser	51 Middlebury Ln	Er. Shed	
22520		Richard & Karen Snyder	13 Chicory Ln	Er. Pool-In Grnd	
22521		Paul & Christine Szlis	22 Old Schoolhouse Rd	Er. Shed	
22522		Stephen, Sr. & Joanne Ruk	30 Cotton St	Er. Garage	(V/L)

22523	John C. Dusza, Jr.	16 Squirrel Run	Er. Fence
22524	Kevin & Ann Marie McCarthy	26 Jonquille Ct	Er. Res. Alt.
22525	The Gutter People of WNY Inc.	5820 Broadway	Re-Roof

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	WAS ABSENT	
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPNIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

April 21, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, Pleasant Meadows Associates, 2730 Transit Road, W. Seneca, New York 14224 has applied to the Town Board of the Town of Lancaster for permits for Private Improvements upon real property in the Town of Lancaster within Pleasant Meadows, Subdivision VII, Central Square Villas Phase 4, and

WHEREAS, the Town Engineer of the Town of Lancaster has certified on the following permit applications that he has reviewed the improvement plans and permit applications for the installation of the private improvements requested, and that they conform to the Ordinances of the Town of Lancaster.

NOW, THEREFORE, BE IT

RESOLVED, that Private Improvement Permit Application Nos. 722, 723 and 724 of Pleasant Meadows Associates, 2730 Transit Road, West Seneca, New York 14224 which are permits for Private Improvements for the installation of:

P.I.P. No.722 (Pavement & Curb)	Central Square Villas, Phase 4 on Brockton Drive, Denton Drive and Cumberland Street; Installation of 1350 ± LF of 24´ wide asphaltic conc. pavement: 780 ± LF on Brockton Drive, 110 ± on Denton Drive, and 460 ± LF on Cumberland Street, 14 ± parking spaces, 8" sub-base No. 2 (NYSDOT 304.02), 4" Base Type 1 (NYSDOT 403.11), 2" Dense Binder Type 3 (NYSDOT 403.13), 1" Top Type 7 (NYSDOT 403.18).
P.I.P. No. 723 (Storm Sewer)	Central Square Villas, Phase 4 on Brockton Drive, Denton Drive and Cumberland Street; Installation of approx. 566 ± LF of 24" PHDPE, 304 ± LF of 15" PHDPE, 298 ± LF of 15" HDPE, 117 ± LF of 12" PHDPE, 819 ± LF of 12" HDPE, 153 ± LF of 10" HDPE, 350 ± LF of 8" PHDPE, 356 ± LF of 8 " HDPE, standard receivers – 7 ea., LD receivers – 14 each and all necessary 6" roof leaders.
P.I.P. No. 724 (Water Line)	Central Square Villas, Phase 4 on Brockton Drive, Denton Drive and Cumberland Street; Installation of approx. 856 ± LF 10" PVC (c-900), 410 ± LF 8" PVC (c-900), hydrant assemblies – 2 ea., 10" valve – 4 ea., 8" valve – 3 ea., Hot box and 8" RPDA with meter – 1 ea., service connections and all other appurtenances for a complete installation.

be and are hereby authorized.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	WAS ABSENT
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

April 21, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Town Line Volunteer Fire Department, Inc., by letter dated April 7, 2014, has requested the addition of two (2) members to the roster of said fire association.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby confirms the additions to the membership of the Town Line Volunteer Fire Department the following individuals:

ADDITIONS:

Jacob Smith	Shane Cordero
Lancaster, New York	Buffalo, New York

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	WAS ABSENT	
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

April 21, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER ABRAHAM, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPNIAK, TO WIT:

WHEREAS, Daniel Amatura, Highway Superintendent of the Town of Lancaster, by letter dated April 8, 2014 has requested authorization to solicit bids for the purchase of One (1) new and unused **2014 Four Wheel Drive Ford XLT Explorer**, for the use by the Highway Department, and

WHEREAS, the Highway Department will be considering a trade-in allowance for a 2011 Ford F150 XLT Supercab, Short Bed Four Wheel Drive (Vin# 1FTFX1EFXBFA08079) to offset the cost, and

WHEREAS, the purchase will be paid for with funds available in the 2014 Highway Budget Line Item 13-5110-220 (Passenger Vehicles), and

WHEREAS, the Town Board has given due review and consideration to the request and deems it in the public's interest to invite public bids in conformance with General Municipal Law §103 of the State of New York; and

**NOW, THEREFORE, BE IT
RESOLVED**, as follows:

1. That Bids be received in the Office the Town Clerk by May 7, 2014, at 10:00 A.M. Local Time at the Town Hall, 21 Central Avenue, Lancaster, New York, for the purpose of purchasing One (1) new and unused 2014 Four Wheel Drive Ford XLT Explorer, for the use of the Highway Department in accordance with specifications on file in the Town Clerk's Office, and
2. That the Town Clerk be and is hereby authorized to place a Notice to Bidders in the Lancaster Bee and post notices thereof as required by Law, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	WAS ABSENT
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

April 21, 2014

**LEGAL NOTICE
TOWN OF LANCASTER
NOTICE TO BIDDERS**

NOTICE IS HEREBY GIVEN, that sealed bids will be received by the Town Clerk of the Town of Lancaster, Erie County, New York, in the Council Chamber of the Town Hall, 21 Central Avenue, Lancaster, New York, up to **10:00 A.M.**, Local Time, on the 7th **day of May, 2014**, for the purpose of providing to the Town of Lancaster One (1) new and unused **2014 Four Wheel Drive Ford XLT Explorer**, for the use by the Highway Department, in accordance with specifications on file in the Town Clerk's Office in the Town Hall, 21 Central Avenue, Lancaster, New York.

A Certified Check or Bid Bond in an amount representing five (5%) of the Total Gross Bid, payable to the Supervisor of the Town of Lancaster, and a Non-Collusive Bidding Certificate must accompany each bid.

The Board reserves the right to reject any or all bids and to waive any informalities.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

**BY: JOHANNA M. COLEMAN
Town Clerk**

April 24, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, Drew Arlotta, owner of Hygloss Kustomz, situate at 505 D Erie Street, in the Town of Lancaster, has submitted an application for a Special Use Permit for an automotive restoration business in accordance with provisions of Chapter 50-Zoning, Section 20 (B)(j) of the Code of the Town of Lancaster, and

WHEREAS, the Zoning Code of the Town of Lancaster requires that the Town Board conduct a public hearing before the issuance of a special use permit for a use as proposed;

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Chapter 50-Zoning, Section 20(B)(j), entitled "Commercial Motor Service District" of the Code of the Town of Lancaster, a Public Hearing on the proposed Special Use Permit for an automotive restoration business on premises locally known as 505 D Erie Street, in the Town of Lancaster, New York, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 5th day of May 2014, at 7:15 o'clock P.M., Local Time, and that Notice of the time and place of such Hearing be published in the official newspaper of general circulation in said Town, and be posted on the Town Bulletin Board and that a copy of such Notice of Hearing be referred to the Erie County Department of Planning, pursuant to Section of the General Municipal Law, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	WAS ABSENT	
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPNIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

April 21, 2014

**LEGAL NOTICE
PUBLIC HEARING
SPECIAL USE PERMIT – HYGLOSS KUSTOMZ
505 D ERIE STREET, LANCASTER**

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the authority set forth in Chapter 50-Zoning, Section 20(B)(j) "Commercial Motor Service District" of the Code of the Town of Lancaster, and the Town Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Lancaster adopted on the 21st day of April, 2014 the said Town Board will hold a Public Hearing on the 5th day of May, 2014, at 7:15 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the application of **Drew Arlotta**, Owner of **Hygloss Kustomz**, for a Special Use Permit for an automotive restoration business on premises locally known as 505 D Erie Street, in the Town of Lancaster, County of Erie, State of New York.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

BY: JOHANNA M. COLEMAN
Town Clerk

April 24, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPNIAK, TO WIT:

WHEREAS, the Town of Lancaster seeks grant monies from the State of New York Governor’s Traffic Safety Committee via the Police Traffic Services (PTS) program to reduce unsafe driving behaviors within the Town, and

WHEREAS, grant monies will be used to support overtime police patrols targeting speeding and aggressive driving;

NOW, THEREFORE, BE IT

RESOLVED, that Grantmakers Advantage, Inc., the Town's grant consultants, be authorized and directed to complete the necessary application, forms, etc. to be submitted to the State of New York Governor’s Traffic Safety Committee for the purpose of securing this grant, and

BE IT FURTHER

RESOLVED, that the Supervisor and Chief of Police be and hereby are authorized and directed to execute all documents pertaining to the application and acquisition of said funding.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	WAS ABSENT	
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPNIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

April 21, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER ABRAHAM, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, Edward Haniszewski, d/b/a Ed Henning Inc., 911 Ransom Road, Lancaster, New York 14086 has applied for a renewal license to conduct a salvage yard on premises situate at 911 Ransom Road within the Town of Lancaster, pursuant to Chapter 4-3 of the Code of the Town of Lancaster, and

WHEREAS, the application was referred to the Town Board for review, and

WHEREAS, the Building Inspector, by letter dated April 14, 2014 has notified the Town Board that he has completed his review and made a favorable recommendation thereto.

NOW, THEREFORE, BE IT

RESOLVED, that Edward Haniszewski, d/b/a Ed Henning, Inc., 911 Ransom Road, Lancaster, New York be and is hereby authorized to conduct a salvage yard on premises situate at 911 Ransom Road, Lancaster, New York for the period January 1, 2014 to December 31, 2014 in strict conformance with the application of the petitioner as filed in the Office of the Town Clerk.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	WAS ABSENT	
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

April 21, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, RJF Development, 4430 Walden Avenue, Lancaster, New York 14086 has applied to the Town Board of the Town of Lancaster for permits for Public Improvements upon real property in the Town of Lancaster within Cross Creek Subdivision, Phase V, and

WHEREAS, the Town Engineer of the Town of Lancaster has certified on the following permit applications that he has reviewed the improvement plans and permit applications for the installation of the public improvements requested, and that they conform to the Ordinances of the Town of Lancaster.

NOW, THEREFORE, BE IT

RESOLVED, that Public Improvement Permit Application Nos. 725, 726 and 727 of RJF Development, 4430 Walden Avenue, Lancaster, New York 14086 which are permits for Public Improvements for the installation of:

P.I.P. No. 725 (Pavement & Curb)	The Cross Creek Subdivision, Phase V, Install 2,470 lf of Upright Curb & Island Gutter with 425 sf of heavy duty walk. All 6" underdrain with 2 tee per lot. Construct 40,802 sf of 12", 4", 2 ½ " and 1 ½" pavement.
P.I.P. No.726 (Storm Sewer)	The Cross Creek Subdivision, Phase V, Install 1,847 lf of various sizes of H.D.P.E., 1 sediment chamber, 6 road D.I., 2 MH, 4 light duty receivers, 1 backyard tee, 1 end section.
P.I.P. No. 727 (Water Line)	The Cross Creek Subdivision, Phase V, Install 700 lf of 10" and 600 lf of 8" waterline, 2 10" and 18" gate valves, 3 hydrant assemblies, and 2 blowoffs.

be and are hereby authorized.

NOW THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster agrees to commit to pay the Erie County Water Authority’s annual fire hydrant maintenance fee for three (3) fire hydrants within Cross Creek Subdivision, Phase V, once the hydrant is installed, tested, approved and placed in service.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER AQUINO	WAS ABSENT	
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER STEMPIAK	VOTED	YES
SUPERVISOR FUDOLI	VOTED	YES

April 21, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, T O WIT:

WHEREAS, Terrence McCracken, General Crew Chief of the Parks Recreation & Forestry Department of the Town of Lancaster, has requested that the Town Board authorize the purchase and installation of electric automatic handicap accessible doors for the Lancaster Police Headquarter and Court Building (Public Safety Building), and

WHEREAS, the General Crew Chief has obtained two (2) price quotes for the purchase and installation of electric automatic handicap accessible doors for the Lancaster Police Headquarter and Court Building (Public Safety Building), in accordance with the Town of Lancaster’s Procurement Policy, and

WHEREAS, by letter dated April 14, 2014, the General Crew Chief has recommended that the purchase be made from Imperial Door Controls, Inc., 85 Oriskany Drive, Tonawanda, New York 14150, in the amount of \$7,730.00, per their quote dated March 20, 2014, and

WHEREAS, funding for the purchase and installation of electric automatic handicap accessible doors is available from the April 13, 2011 Police/Court’s Complex Project Bond.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor to accept the proposal for the purchase and installation of electric automatic handicap accessible doors for the Lancaster Police Headquarter and Court Building (Public Safety Building) from Imperial Door Controls, Inc., 85 Oriskany Drive, Tonawanda, New York 14150 in accordance with their quote dated March 20, 2014, in the amount not to exceed \$7,730.00 to be paid for with funds available from the April 13, 2011 Police/Court’s Complex Project Bond.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	WAS ABSENT
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

April 21, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPNIAK, T O WIT:

WHEREAS, Terrence McCracken, General Crew Chief of the Parks Recreation & Forestry Department of the Town of Lancaster, has requested that the Town Board execute an agreement authorizing the purchase of additions to various Access and Control Systems for the Lancaster Police Headquarter and Court Building (Public Safety Building), and

WHEREAS, requests for these additional items for the Access and Control Systems were made by both police and court personnel, and

WHEREAS, the General Crew Chief has obtained a price quote for the purchase of said additions which was previously provided to the Town Board in accordance with the Town of Lancaster’s Procurement Policy, and

WHEREAS, by letter dated April 14, 2014, the General Crew Chief has recommended that the purchase be made from Fire Safety Systems, Inc., 525 Aero Drive, Suite 200, Buffalo, New York 14225, in the amount of \$3,869.00, per their quote dated April 3, 2014, and

WHEREAS, funding for the purchase of these additional items for the Access and Control Systems is available from the April 13, 2011 Police/Court’s Complex Project Bond.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor to execute an agreement for the purchase of these additional items for the Access and Control Systems for the Lancaster Police Headquarter and Court Building (Public Safety Building) from Fire Safety Systems, Inc., 525 Aero Drive, Suite 200, Buffalo, New York 14225, in accordance with their quote dated April 3, 2014, in the amount not to exceed \$3,869.00 to be paid for with funds available from the April 13, 2011 Police/Court’s Complex Project Bond.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	WAS ABSENT
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

April 21, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, Terrence McCracken, General Crew Chief of the Parks Recreation & Forestry Department of the Town of Lancaster, has requested that roofing and fencing improvements be completed at various baseball fields within Westwood Park and Keysa Park, within the Town of Lancaster, and

WHEREAS, Terrence McCracken, General Crew Chief of the Parks Recreation & Forestry Department, requested Wm. Schutt Associates to obtain quotes for the roofing and fencing improvements at various baseball fields within Westwood Park and Keysa Park, and

WHEREAS, Wm. Schutt Associates has obtained three price quotes for the roofing and fencing improvements in accordance with the Town of Lancaster’s Procurement Policy, and

WHEREAS, by letter dated April 15, 2014, Wm. Schutt Associates has recommended that the Town of Lancaster award the contract for the roofing and fencing improvements at various baseball fields within Westwood Park and Keysa Park to Active Fence Company, Inc., 5295 Bayview Road, Hamburg, New York 14075, in the amount of \$26,620.00, per their quote dated April 15, 2014, and

WHEREAS, funding for the roofing and fencing improvements is available, from the Town’s recreation fees.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor of the Town of Lancaster to award the contract for the roofing and fencing improvements at various baseball fields in Westwood Park and Keysa Park to Active Fence Company, Inc., 5295 Bayview Road, Hamburg, New York 14075 in accordance with their quote dated April 15, 2014 in the amount not to exceed \$26,620.00 and to be paid for with funds available from the Town’s recreation fees.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	WAS ABSENT
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

April 21, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPNIAK, TO WIT:

WHEREAS, Terrence McCracken, General Crew Chief of the Parks Recreation & Forestry Department of the Town of Lancaster, has requested that drainage piping be installed at various baseball fields within Westwood Park, in the Town of Lancaster, and

WHEREAS, Terrence McCracken, General Crew Chief of the Parks Recreation & Forestry Department, requested Wm. Schutt Associates to obtain quotes for the installation of drainage piping at various baseball fields within Westwood Park, and

WHEREAS, Wm. Schutt Associates has obtained three price quotes for the installation of the drainage piping in accordance with the Town of Lancaster’s Procurement Policy, and

WHEREAS, by letter dated April 16, 2014, Wm. Schutt Associates has recommended that the Town of Lancaster award the contract for installing drainage piping at various baseball fields within Westwood Park to Rich’s Sports Fields, Inc., 110 Pavement Road, Lancaster, New York 14086 in the amount of \$29,000.00, per their quote dated April 12, 2014, and

WHEREAS, funding for the installation of the drainage piping is available, from the Town’s recreation fees.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor of the Town of Lancaster to award the contract for the installation of drainage piping at various baseball fields in Westwood Park to Rich’s Sports Fields, Inc., 110 Pavement Road, Lancaster, New York 14086 in accordance with their quote dated April 12, 2014 in the amount not to exceed \$29,000.00 and to be paid for with funds available from the Town’s recreation fees.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	WAS ABSENT
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

April 21, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Executive Director of the Youth Bureau of the Town of Lancaster, by letter dated April 14, 2014, has requested the appointment of one (1) Clerk, part-time temporary seasonal, to work at the Youth Bureau.

NOW, THEREFORE, BE IT

RESOLVED, that the following individual is hereby appointed to the position of Clerk, part-time temporary seasonal, for a period not to exceed five (5) months, at the Youth Bureau, and that this being a part-time position provides no health insurance, sick days, vacations, or other fringe benefits not specifically mandated for part-time temporary employees:

<u>NAME</u>	<u>PAY RATE/HR.</u>	<u>EFFECTIVE DATE</u>
Judy Trusiak (new hire) Lancaster, NY	\$8.25	May 1, 2014

BE IT FURTHER,

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	WAS ABSENT
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

April 21, 2014

SUSPENDED RESOLUTION:

Supervisor Fudoli requested a suspension of the necessary rules for immediate consideration of the following resolution:

UPON A MOTION DULY MADE BY COUNCIL MEMBER RUFFINO, SECONDED BY COUNCIL MEMBER ABRAHAM AND CARRIED, a suspension was granted.

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Law Office of Mark C. Butler, on behalf of their client, Twin District Volunteer Fire Company, by letter dated April 7, 2014, has requested the Lancaster Town Board appoint Ron Rozler, President of the Twin District Volunteer Fire Company, Inc., as Hearing Officer pursuant to a certain Notice of Public Hearing for the proposed refinancing of the prior construction, reconstruction or improvement of the firehouse facility at 4999 William Street, Lancaster, New York 14086.

NOW THEREFOR BE IT

RESOLVED, the Supervisor of the Town of Lancaster, in accordance with the provisions of sections 147(f) and 150(c) of the Internal Revenue Code of 1986, as amended, hereby appoints Ronald Rozler, President of the Twin District Volunteer Fire Company, Inc., as Hearing Officer pursuant to a certain Notice of Public Hearing, attached hereto, to be held at the Twin District Volunteer Fire Company, 4999 William Street, Lancaster, New York 14086, on May 8, 2014 at 7:00 p.m.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	WAS ABSENT
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR FUDOLI	VOTED YES

April 21, 2014

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a public hearing will be conducted by an individual to be appointed by the Supervisor of the Town of Lancaster (the "Hearing Officer") in the Twin District Volunteer Fire Company, Inc. at 4999 William Street, Lancaster, New York 14086 on May 8, 2014 at 7:00p.m. in relation to the proposed borrowing by the Twin District Volunteer Fire Company, Inc. (the "Volunteer Fire Department") to refinance the prior construction, reconstruction or improvement of a certain fire station located at 4999 William Street, Lancaster, New York by such Volunteer Fire Department and the proposed issuance by the Volunteer Fire Department of an obligation (a note and mortgage) to KeyBank National Association.

The proposed refinancing of the prior construction, reconstruction or improvement is of the firehouse facility located at 4999 William Street, Lancaster, New York, which is used for housing and storage of firefighting apparatus, vehicles and related equipment as well as for training, administrative and related facilities in order to render fire protection service to the Town of Lancaster pursuant to a contract for the period January 1, 2014 through December 31, 2016 between the Volunteer Fire Department and the Town of Lancaster. The proposed refinancing will be in the maximum face amount of \$400,000.00. The Twin District Volunteer Fire Company, Inc., is the owner, operator and manager of the fire station facility described herein.

The public hearing and the subsequent approval by the Supervisor of the Town of Lancaster of the borrowing and issuance of the obligation are prerequisites to exemption from income taxation of the interest payable under the terms of such obligation, pursuant to section 103 and related sections of, and regulations under, the Internal Revenue Code. Neither the public hearing nor the subsequent approval by the Supervisor of the Town of Lancaster of the borrowing creates any obligation or liability of the Town of Lancaster for such obligation.

Persons attending the public hearing will be given the opportunity to make brief oral statements in connection with the proposed financing, and written comments may be submitted to the Hearing Officer at or prior to the public hearing.

Dino J. Fudoli, Town Supervisor
Town of Lancaster

COMMUNICATIONS & REPORTS –

- 209. Code Enforcement Officer to Town Board --
No issues with granting of special use permit for Drew Arlotta, Hygloss Kustomz, located at 505D Erie Street. Disposition = Planning Committee**
- 210. Erie County Board of Elections to Town Clerk –
Information regarding annual Campaign Finance Seminar to be held on May 13, 2014. Disposition = Received & Filed**
- 211. Greater Buffalo-Niagara Regional Transportation Council to Town Clerk –
Information regarding Public Review and Comment Period – 2040 Metropolitan Transportation Plan Update. Disposition = Received & Filed**
- 212. Greater Buffalo-Niagara Regional Transportation Council to Town Clerk –
Notice of Public Meeting – 2040 Metropolitan Transportation Plan Update. Disposition = Received & Filed**
- 213. NYSDOT to Supervisor –
Comment period extended for Tier 1 Draft Environmental Impact Statement for the High Speed Rail Empire Corridor Program. Disposition = Received & Filed**
- 214. Supervisor to Town Attorney –
Request for installation of No Parking Signs on a portion of Greenmeadow Drive. Disposition = Police Chief**
- 215. General Crew Chief to Supervisor –
Transmittal of letter of resignation from Laborer Aide Ronald Surowick. Disposition = Received & Filed**
- 216. Supervisor to Town Board –
Correspondence regarding Depew-Lancaster Boys and Girls Club Annual 10K Race. Disposition = Received & Filed**
- 217. Town Justice Nicholas LoCicero to Town Board –
Information regarding Lancaster Housing Court and request for input. Disposition = Received & Filed**
- 218. Planning Board Chairman to Planning Board, Town Board, Engineering Consultant, Town Attorney, Highway Superintendent and Building & Zoning Inspector –
Draft minutes from April 2, 2014 Planning Board Meeting. Disposition = Planning Committee**
- 219. Planning Board to Town Board –
Recommend to deny Local Law Amending the Town of Lancaster Zoning Code to Clarify Permitted Uses in the Light Industrial District (LI). Disposition = Received & Filed**
- 220. Planning Board to Town Board –
Recommend approval of site plan review for Elea Enterprises, 110 Rotech Drive, Proj. #3701. Disposition = For Resolution**
- 221. Town Attorney to Town Board and Planning Board –
SEQR response from NYSDEC regarding Niagara Lutheran Health Systems Corp. Office Bldg., 5959 Broadway, Proj. #4163. Disposition = Planning Committee**
- 222. Town Attorney to Town Board and Planning Board –
SEQR response from Erie County Division of Planning regarding Elea Enterprises, 110 Rotech Drive, Proj. #3701. Disposition = Planning Committee**

223. Town Attorney to Town Board and Planning Board –
SEQR response from NYSDEC regarding Mixed Use Commercial/Residential Development, Stony Brook @ 3950 Walden Ave.
Disposition = Planning Committee
224. Town Attorney to Town Board and Planning Board –
SEQR response from Erie County Division of Planning regarding Niagara Lutheran Health Systems Corp. Office Bldg., 5959 Broadway, Proj. #4163.
Disposition = Planning Committee
225. Supervisor to David Hoch, Depew-Lancaster Boys & Girls Club –
Authorization to hold annual 10K race on Friday, July 4, 2014.
Disposition = Received & Filed
226. Highway Superintendent to Town Board –
Request for publication of bid for a new and unused 2014 Four Wheel Drive Ford XLT Explorer. Disposition = Received & Filed
227. Richard DeVries, Town Line Fire Dept. to Town Clerk –
Request for change in roster. Disposition = Resolution 4/21/14
228. Thomas Irish to Town Clerk –
Letter of resignation from Dog Control Officer position.
Disposition = Received & Filed
229. Town Attorney to Town Board and Planning Board –
SEQR response from NYSDEC regarding Elea Enterprises, 110 Rotech Drive, Proj. #3701. Disposition = Planning Committee
230. Town Clerk to Various News Media –
Notice of Special Meeting of the Lancaster Town Board and Planning Board on April 21, 2014 at 6:15PM for SEQRA Review – Site Plan Mixed Use Commercial/Residential Development Stony Brook @ Walden, 3950 Walden Ave., Proj. #3514. Disposition = Received & Filed
231. Greater Buffalo-Niagara Regional Transportation Council to Town Clerk –
Notice of proposed amendment to current 2014-2018 Transportation Improvement Program. Disposition = Received & Filed
232. Village of Lancaster to Town Board –
Minutes from regular meeting held on March 24, 2014.
Disposition = Received & Filed
233. Town of Amherst Supervisor to Town Clerk –
Response to letter regarding variance petition for 6647 Transit Road.
Disposition = Received & Filed
234. James Allein, President Lancaster Rural Cemetery Association to Town Board =
Thank you for furnishing and planting of replacement trees within the Lancaster Rural Cemetery. Disposition = Received & Filed
235. Supervising Code Enforcement Officer to Town Clerk –
Request for resolution authorizing the issuance of 2014 License to Operate a Salvage Yard for Ed Henning Inc. at 911 Ransom Road.
Disposition = Resolution 4/21/14
236. Town Engineer to Town Board –
Recommend Active Fence Company for the roofing and fencing improvements for dug-outs at baseball diamonds in Westwood Park and Keysa Park.
Disposition = Resolution 4/21/14

- 237. Town Engineer to Town Board –
Recommend Rich’s Sports Field, Inc. for the installation of drainage piping at the
baseball diamonds in Westwood Park. Disposition = Resolution 4/21/14**
- 238. Deputy Erie County Comptroller to Supervisor –
Erie County’s 1% Sales and Compensating Use Tax (Sales Tax) Revenue
Sharing with Local Governments. Disposition = Received & Filed**
- 239. General Crew Chief to Planning Board, Council Member Abraham, Council
Member Ruffino, and Council Member Stempniak –
No issues with application for site plan for Jiffy-Tite, 4437 Walden Avenue,
Proj. #1401. Disposition = Planning Committee**
- 240. General Crew Chief to Planning Board, Council Member Abraham, Council
Member Ruffino, and Council Member Stempniak –
No issues with application for site plan for Apple Rubber Warehouse Addition,
204 Cemetery Road, Proj. #2142. Disposition = Received & Filed**
- 241. Police Chief to Town Clerk –
Article and communications. Disposition = Received & Filed**
- 242. Executive Director of the Youth Bureau to Supervisor –
Recommend appointment of Judy Trusiak to position of part-time temporary
seasonal office help effective May 1, 2014. Disposition = Resolution 4/21/14**
- 243. General Crew Chief to Supervisor and Town Board –
Recommend Active Fence Company for the roofing and fencing improvements
for dug-outs at baseball diamonds in Westwood Park and Keysa Park.
Disposition = Resolution 4/21/14**
- 244. General Crew Chief to Supervisor and Town Board –
Recommend Rich’s Sports Field, Inc. for the installation of drainage piping at the
baseball diamonds in Westwood Park. Disposition = Resolution 4/21/14**
- 245. General Crew Chief to Supervisor and Town Board --
Request for Town of Lancaster to enter into an agreement with Fire Safety
Systems, 525 Aero Dr., Buffalo, NY for additions to various systems at the Police &
Courts Building. Disposition = Resolution 4/21/14**
- 246. General Crew Chief to Supervisor and Town Board --
Recommend Imperial Door Controls, Inc., 85 Oriskany Dr., Tonawanda, NY to
furnish and install four automatic swing door operators, two each for the Police
Court entrances. Disposition = Resolution 4/21/14**
- 247. Highway Superintendent to Town Board –
Corrected copy: request for publication of bid for a new and unused 2014 Four
Wheel Drive Ford XLT Explorer. Disposition = Resolution 4/21/14**

ADJOURNMENT:

**ON MOTION OF COUNCIL MEMBER ABRAHAM AND SECONDED BY
COUNCIL MEMBER STEMPNIAK AND CARRIED,** the meeting was adjourned
at 8:31 P.M.

Signed _____
Johanna M. Coleman, Town Clerk